

REMARKS

Claims 1-18 and 20 are pending. The specification is amended hereby. More specifically, Table 3 is amended to correct errors noted upon Applicants' review. Support for the changes is provided in the description of the examples provided in the specification. More specifically, Comparative Example 7 used G-10 (page 54, line 6) which has a mean particle size of 0.26 μm and G-11 (page 55, line 15) having a mean particle size of 0.07 μm . In addition, Comparative Examples 11 and 12 used G-12 through G-14 respectively having mean particle sizes of 0.24, 0.25 and 0.10 μm (*see* page 58, line 3; page 59, line 8, and line 23). Accordingly, Table 3 is amended to provide the correct values as given in the specification.

Examiner Mullis is thanked for the courtesies extended to the undersigned attorney during the telephone interview. Applicants' separate record of the substance of that interview is incorporated into the following discussion.

Claims 1-18 and 20 were rejected under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification. In particular, the Examiner asserts that "volume average" was not disclosed in the specification as filed. Favorable reconsideration of the rejection is earnestly solicited.

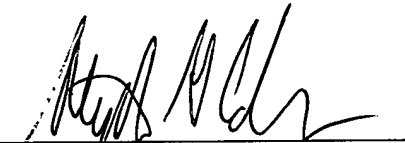
A Declaration under 37 C.F.R. §1.132 is attached hereto for the Examiner's consideration. The Declaration provides results of experiments which confirm that the reported particle sizes were measured by "volume average." Accordingly, based on the examples provided in the specification as filed, one of ordinary skill in the art would ascertain that the particle sizes are volume average particle sizes.

For at least the foregoing reasons, the claimed invention distinguishes over the cited arts and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

By: 
Stephen G. Adrian
Reg. No.: 32,878
Attorney for Applicant
Tel: (202) 822-1100
Fax: (202) 822-1111

Attachment: §1.132 Declaration w/Microtrac Ultrafine Particle Analyzer Operator's
Manual
Change of Correspondence Address
SGA/rer